

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

J.B. through his Guardians,
DONALD BELL AND BARBARA BELL;
and DONALD BELL and BARBARA
BELL, husband and wife, and
parents of J.B.,

Plaintiffs,

v.

MEAD SCHOOL DISTRICT NO. 354,

Defendant.

NO. CV-08-223-EFS

PROTECTIVE ORDER

On June 24, 2009, the parties submitted a Stipulated Protective Order. (Ct. Rec. [13](#), Ex. F.) Based on the Stipulated Protective Order,

IT IS HEREBY ORDERED:

1. The names of any students involved in the above-captioned matter shall be deleted from the pleadings and public documents and replaced with initials. The name and identity of the students involved will be protected from public disclosure unless otherwise required by law. Any document exchanged by the parties in this case that contains the name of any student or former student of Mead School District will

1 be treated as "confidential" and subject to the terms of this Protective
2 Order.

3 2. The parties will give each other complete copies of the
4 educational records of Plaintiff J.B., and of the students allegedly
5 involved in the alleged harassment/abuse of J.B. All parties and their
6 attorneys agree to treat the documents and information they are provided
7 about any such students or former students as confidential, except as
8 necessary to present the parties' claims in the above-captioned matter.
9 Plaintiffs and their attorneys thereby agree not to disseminate any
10 student names, educational records, or any information from any
11 educational records covered by this Order to any third-party, except to
12 the following:

13 a. The party(ies), their attorneys, and the attorneys'
14 employees;

15 b. Consultants and experts retained by any party for the
16 purposes of assisting in the preparation or presentation of claims or
17 defenses;

18 c. Any person for the purpose of perfecting service of
19 notices of deposition and/or subpoenas for trial upon student witnesses;
20 and

21 d. Any other person authorized by the Court.

22 3. All of the foregoing persons, including the attorneys' staff
23 working on this case, shall be shown a copy of this Order and shall sign
24 it or otherwise signify in writing before being shown confidential
25 documents that the person has read the Order and consents to be bound by
26 its terms.

1 4. Any documents that are filed with the Court or utilized as
2 evidence will be reviewed by the party proposing the document, and the
3 names and other identifying details of the students or former students
4 involved will be deleted (or replaced with initials). The parties will
5 attempt to agree to any deletions of information in advance. If the
6 parties are unable to agree on the deletion of information, the Court
7 will be requested to review the document in camera and make a
8 determination of what, if any, information should be deleted from the
9 document.

10 5. Upon completion of this litigation, all copies of the records
11 or documents or testimony with references to students shall remain
12 confidential, and shall continue to be kept pursuant to the above
13 criteria.

14 6. Nothing contained herein shall be construed to prejudice or
15 limit any party's right to use the records in the taking of depositions
16 or at trial to the extent permitted, if at all, under the Federal Rules
17 of Evidence and Federal Rules of Civil Procedure.

18 7. Court reporters shall be instructed to transcribe students'
19 names by their initials only.

20 8. Nothing in this Order shall prevent any party hereto from
21 seeking modification of this Order, or from objecting to discovery that
22 it believes to be otherwise improper.

23 9. Violation of the terms of this Order, by any of the parties to
24 this Protective Order, their employees, agents, or experts may subject
25 the violator to Court sanctions.

DATED this 10th day of July 2009.

S/ Edward F. Shea

EDWARD F. SHEA
United States District Judge